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# Slippery discrimination: a review of the drivers of migrant and minority housing disadvantage

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## ABSTRACT

This paper aims to identify housing disadvantages faced by migrants and ethnic minorities; the legal, policy and market forces that shape them; how they have developed over time; how they are manifest nationally and locally; and how they are being responded to locally by those concerned with mitigating them. The paper thereby intends to provide a foundation to inform future research and policy and to engage with local actors to develop ways of overcoming migrant housing disadvantage and challenging discrimination. The paper finds that the interplay of legal changes, which have increasingly differentiated migrants since the 1940s, and shifting housing markets, has driven exclusion of migrants and minorities such that considerable disadvantage is revealed by analysis of census data. However, attention to local specificity provides evidence of positive responses. Examples are presented in relation to access to affordable housing, enactment of homelessness duties and community actions. Methodologically, this paper highlights the importance of simultaneous consideration of migration and ethnicity as markers of difference and exclusion, and the potential of co-production approaches for socially meaningful research concerned with inequalities.

## KEYWORDS

Housing; migrants; ethnicity; disadvantage; co-production

## Introduction

This paper aims to identify housing disadvantages and discrimination ascribed to ethnicity and to migratory status, the forces that shape them, how these have developed over time and how they are manifest nationally and locally. In doing so, the paper illustrates the slippery nature of housing discrimination in that it is difficult to precisely evidence and challenge, has become embedded and normalised over a long period and feeds on shifting racialisations of migrants and minorities. This paper also aims to reflect on co-production approaches which have been used in developing some of the arguments and their potential in developing further research and policy and practical solutions that could tackle the problems that are identified. This paper is part of a Special Issue that provides new insights into the relationships between ethnicity and place from the perspective of a broader

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concern with understanding ethnic inequalities in the UK. The work has been conducted within the Centre on Dynamics of Ethnicity (CoDE) and reflects an interdisciplinary approach, as discussed in the Introduction to this Special Issue (Finney, Clark, and Nazroo 2018).

We draw on existing research into ethnicity and housing disadvantage, but seek to further identify how migrants, particularly recent ones, may have distinct experiences beyond and interconnected with ethnicity (Markkanen and Harrison 2013). In the context of previous studies, using the 2011 Census enables us to get a picture of the major tenure differences in relation to country of origin and date of arrival; and we present a timeline of significant developments in housing and migration law and policy, supplemented by the numbers and types of migrants arriving at different times. This article is informed by a detailed practical knowledge of migrant housing entitlements and the ways that those play out locally (using particularly the definitions of supply, allocation and occupation identified by Ringhelm and Bernard (2013)) and of the lived experience of migrants and minorities themselves. Practitioner evidence highlighted local variations in these experiences of housing discrimination that went well beyond the legal distinctions that migrants face and the protections that minorities should be afforded. This 'slippery' discrimination reflects both local interpretations of housing law and individual practices. Finally, our conclusions are directed towards identifying how academics and local housing actors (local authorities, housing associations, migrant and community organisations) could usefully collaborate to develop local strategies on migrant and minority housing.

## Methods

The cross-sector research partnership in this project is one between academics at the ESRC CoDE and the migrant housing sector in the form of Sue Lukes whose independent consultancy work involves collaboration with many organisations including Migration Work CIC and ARHAG Housing Association. A strength of the collaboration is the expertise of each of the partners in their fields.

Practically the collaboration has been made possible through a Simon Industrial Fellowship awarded to Sue Lukes by the University of Manchester which demonstrates institutional support for cross-sector partnerships. Initial connection between the partners took place in Autumn 2014 and the partnership is envisioned as a long-term one, in recognition of the time investment required to develop cross-sector understanding and ways of working.

The driver of the collaboration is a shared commitment to address migrant and minority disadvantage and inequalities, and the belief that academic research and practice both have expert knowledge to contribute to this vision that can be stronger and more strongly deployed through collaboration. This paper is an opportunity not only to review migrant and minority housing disadvantage and set research and practice agendas, but to reflect on the process of research co-production.

The term co-production is widely used in social policy and academic research. The term is assumed to have properties that deliver research impact though there is limited consensus on what that means. In a systematic review of academic research, co-production was framed as engaging with citizens and reflecting a consensual model of shared objectives.

The review found that many studies focussed on the processes rather than the outcomes achieved from the research (Voorberg, Bekkers, and Tummers 2015). Approaches to co-production have recognised that citizen and stakeholder perspectives can provide a valuable contribution to the generation of knowledge, particularly in areas of complexity (Defila and Di Giulio 2015; Polk 2015; Reyers et al. 2015; Yeh 2016). Co-production in research that seeks to drive changes in the way knowledge is produced and applied has been developed through feminist and activist scholarship (Bain and Payne 2016; Jones et al. 2017). Our understanding of migrant and minority disadvantage in housing has benefited from the collaborative approach between practitioners and academics. An important prerequisite for this collaboration was developing a political clarity about the purpose which is to produce knowledge that can be used to address the disadvantages experienced by migrants and minorities in housing. This commitment to change recognises the toxicity of government policies on migration and citizenship, the inequalities in power between major actors in the housing system and the important role that civil society plays.

### *Sources for this paper*

This paper is the product of the research collaboration to date and draws on four sources: First are project meetings where evidence and experience of migrant and minority housing disadvantage have been shared and discussed. This source can be said to differ from typical research project meetings because of the cross-sector, or interdisciplinary, the character of the discussions which necessitated critical and reflexive visiting of the issues to situate our understandings and articulations of them in a realm that has meaning to diverse audiences and partners. Second, desk-based research of academic, policy and grey literature to review the current state of affairs in migrant and minority housing. Third, secondary data analysis of quantitative data sources, namely the UK Census 2011 (SARs, microdata) and the English Housing Survey to evidence, in a statistically robust manner, housing disadvantage experienced by migrants and minorities. Fourth, expert input from the project network. This network consists of academics and practitioners in housing and migration working nationally and regionally in England. Their input was gained through three methods: a workshop to discuss the questions addressed in this paper, one-to-one communications about the project, and comment on drafts of this paper.

### *Defining migrants and minorities*

This paper deliberately considers housing disadvantage for both migrants and ethnic minorities. This is in part a manifestation of the central interests and expertise of the authors, CoDE being focused on ethnic inequalities and Sue Lukes being focused on migrant rights to housing. It is also the result of the project work that surmised that, despite tensions in considering migrants and minorities together, treating them separately was unworkable.

The concept of a UK migrant most saliently captures those who have recently arrived to reside in the country. The ‘civic stratification’ of rights to accommodation, employment and welfare services for migrants to the UK ‘allows for rapid transitions between [these migrant] statuses’ but ‘decisions on exclusion from rights are more severe and conclusive’ (Morris 2003, 83; Spencer and Charsley 2016). The complex and shifting meanings associated with migratory status may best be understood through the ‘emerging mechanisms of

“differential inclusion” that characterise UK legislation on immigration, citizenship and access to housing (Mezzadra and Neilson 2011). The longer-term experiences of migrant-origin populations in the UK tend to be studied, and considered in policy, in terms of ethnicity. Ethnicity, thus, is an aspect of individual and group identity that combines migrant history, race, religion and nationality (Aspinall 2009).

The different, albeit overlapping, meanings of ‘migrant’ and ‘ethnic minority’ lead to two theoretical lines in terms of mechanisms for housing disadvantage. For migrants, theories of integration – of processes of change and adaptation following immigration – and the increasing exclusion from rights provide the framework for interrogating the evidence we present in this paper. For ethnic minorities, we can add to this theories of race and racism. These two sets of theories are distinct yet cannot be easily disentangled, particularly as migrant identities are racialised and ethnic minorities are, in popular imagination, frequently imbued with the (negative) attributes of immigrants regardless of their birthplace. Both ethnicity and migration experience matter for understanding housing experience and disadvantage as we will demonstrate. The way that these identities overlap reflects how slippery discrimination operates to differentially exclude migrants and minorities, and is particularly pertinent in the context of discourses of immigration and Brexit.

### *Differentiation of migrants in housing law since the 1940s*

The story of migration and housing in the UK is a complex one, involving the interplay of immigration and citizenship law, housing and welfare provision, discrimination legislation, migration flows themselves and local actions and policies. We limit the scope of our discussion to the period from the arrival of New Commonwealth migrants after the Second World War. As an aid to understanding this interplay Figure 1 presents a timeline charting the major legal and migration developments.

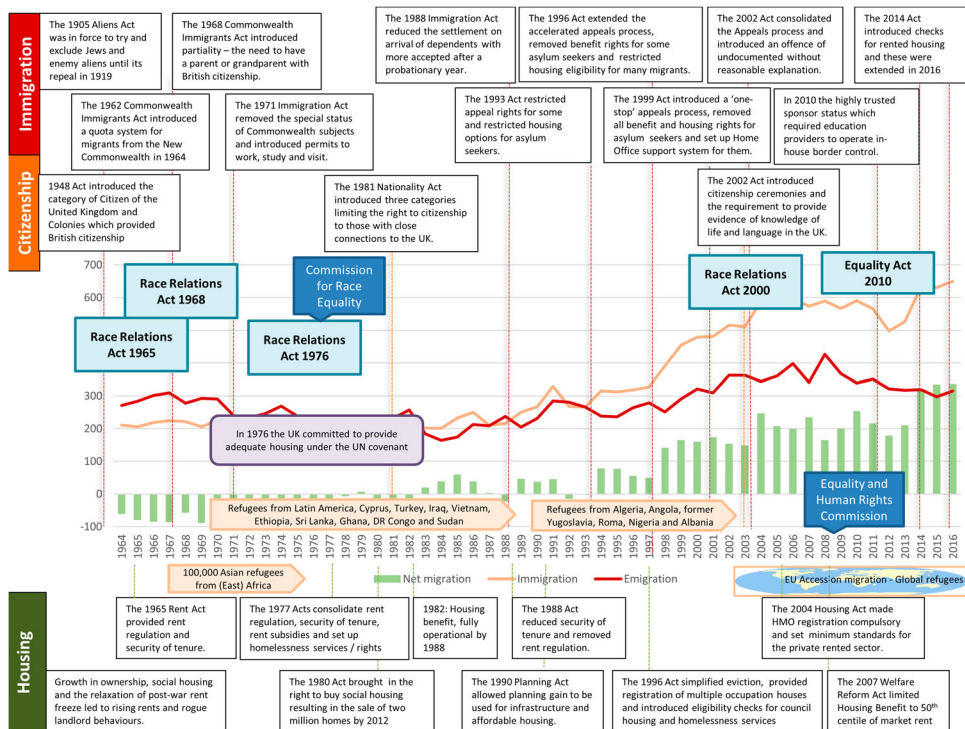
The years until the early 1970s are characterised by significant migration from the former British empire, which is now viewed more through the prism of ‘race’ than migration (see, for example, Bloch and Solomos (2009) and Somerville and Steele (2002)). The process of distinguishing British ‘citizens’ from those colonised culminated in the 1981 Nationality Act, but the Immigration Act 1971, which provides the basis for all the current systems of immigration control and represented the definitive removal of any special status for Commonwealth migrants, introduced the idea that immigration leave could include restrictions on access to ‘public funds’:

S3 (1) (c)

If he is given limited leave to enter or remain in the United Kingdom, it may be given subject to all or any of the following conditions, namely ... ..

(ii) a condition requiring him to maintain and accommodate himself, and any dependants of his, without recourse to public funds. (HM Government 2016)

Local authority housing and related services to homeless people have formed part of the definition of ‘public funds’ for some decades.<sup>1</sup> However, this was simply an immigration rule: people who fell foul of it might find leave to enter or remain refused, but it did not affect actual rights to access benefits or housing. However, until the second and third Race Relations Acts (1968 and 1976) tackled it, for many migrants their effective access to



**Figure 1.** Timeline of legal and migration changes affecting migrant and minority housing in the UK, 1964–2016.

Note: compiled from ONS Long-Term Immigration data and government Acts accessed via legislation.gov.uk.

housing across all sectors was determined by simple discrimination, sometimes reinforced by local authority residence requirements. The arrival of 'East African Asians' from 1968 onwards was something of a watershed: British citizens made into refugees by the combined efforts of African and British nationalists, arriving from the Commonwealth, but needing an organised resettlement programme. Apart from offering basic reception services, the central government response was to encourage dispersal by 'redlining' areas where the additional housing demand might lead to tensions, areas that were deemed to have 'too many'<sup>2</sup> Asians already (Dancygier 2010). The policy was ineffective in keeping the migrants away from places in which they had family and community links, but did succeed in creating a lasting impression among many communities that they would not be able to access basic statutory services<sup>3</sup> in some areas.

Once discrimination was outlawed, local authority policies favouring long residence or 'sons and daughters' were largely, over time, recognised as forms of indirect discrimination and modified or ended (Commission for Racial Equality 1976). Some housing authorities responded positively to the guidance on race equality with the establishment of BME housing associations and housing renewal investment in inner-city areas (Gulliver 2016). The Race Relations Act was also used to end some local authorities' practice of demanding passports from applicants for housing or homelessness services. After investigations, estate agents, building societies and banks involved in house purchase were put on notice to stop their discriminatory practices. In the private rented sector (PRS) (dominated

by small landlords and so more difficult to police), discrimination continued to be a factor in housing access, in spite of efforts to identify and tackle it. Skellington (1996), for example, cites a CRE report finding that one in five accommodation agencies and one in twenty landlords discriminated against ethnic minority renters:

While signs stating 'No blacks, no Irish, no dogs' may have disappeared since the introduction of 'race' relations legislation, evidence at the beginning of the 1990s continues to show that racial bias persists in the rented sector, albeit at more subtle levels'. (Skellington 1996, 140)

By 2013, the Runnymede Trust reported on a survey showing that 'over a quarter of Black Caribbean, Black African and Pakistani participants have felt discriminated against when seeking a place to live' [in the PRS] (Runnymede Trust 2013, 1). These feelings were corroborated by a BBC undercover investigation conducted at the same time that found that 'Letting agents in London are prepared to discriminate against would-be tenants on the grounds of race' (BBC 2013).

The issue of exclusion and discrimination is not confined to the PRS. The efforts of one local authority to avoid housing its Bangladeshi community included a 'sons and daughters' policy, lobbying to change the law to make family migration more difficult (via the 1988 Immigration Act), using the intentionality provisions in homelessness law and finally brought a successful challenge to government guidance that ruled out checking the immigration status of people needing help as homeless (Guentner et al. 2016). The research concluded that:

Bordering has been particularly visible in the housing arm of the welfare state. ... the progressive exclusion of migrants from social housing through both national legislation and local authority action, leading eventually to a position where even UK citizens have to demonstrate long residence in a particular area in order to access social housing there. (Guentner et al. 2016, 9)

These practices were supplemented by discrimination based on perceived ethnicity as identified after the issue of a non-discrimination notice to a local authority and an investigation (Commission for Racial Equality 1988). The local variations in social housing and the PRS reflect the historical 'slippery' discrimination experienced by migrants and minorities as a result of the devolution of housing policies and weak regulations governing the PRS.

In the 1990s this sort of discrimination gave way to legislation to exclude migrants from social housing, supplemented by local use of discretion as residence qualifications were reinstated (Department for Communities and Local Government 2009, 2013) and the options for homeless people reduced.

The first legislative move to exclude migrants from social housing was in 1993, and affected only asylum seekers, who were left in temporary accommodation until their claim was determined. In 1996, however, Housing and Immigration Acts combined to produce a comprehensive exclusion of much wider categories of migrants from housing and welfare benefits. Most asylum seekers were removed from mainstream provision altogether and left to social services to accommodate and support (in some chaos) until the Home Office took on responsibility for all asylum seekers in 2000, via a system of contracting and dispersal. Access to local authority housing (and increasingly to housing associations who, in areas of high housing demand, often handed over referrals for new tenancies to local councils) from then on depended on eligibility which was determined by immigration status (with refugees and people with indefinite leave eligible and most



others not), the ‘right to reside’ of EEA nationals and habitual residence. In the three years before the EU referendum in 2016, the efforts of governments to placate perceived hostility to European migration have resulted in successive restrictions on EEA nationals’ access to benefits and housing. Rights to reside (and so to housing and benefits) have been redefined, access to housing benefit to pay rent has been removed for some, and in May 2016 the Home Office issued guidance that those found sleeping rough would be deemed to be in the UK unlawfully and subject to removal.<sup>4</sup>

Meanwhile in the private sector, restrictions on banking have made access to housing finance more difficult, and the 2014 Immigration Act initiated a requirement on private landlords, including those offering lodgings in their own home, to check the immigration status of all new occupants. The latest, 2016 Immigration Act, builds on and amplifies this measure, to make it a criminal offence for landlords to rent to people they know have no ‘right to rent’ or to refuse to evict those whose status has changed (Crawford, Leahy, and McKee 2016). This is reinforced by a significant change to tenancy law which removes security of tenure from those who the Home Office say have no leave to remain.<sup>5,6</sup>

Before 1993, therefore, the exclusion of migrants from social housing was largely part of the wider issue of discrimination against ethnic minorities, and so often found to be illegal race discrimination. Indeed it was the subject of several reports by the Commission on Racial Equality (1976) which sought to identify the mechanisms and end their use. Since 1993, however, there has been a steady growth in the range of legal measures that restricted access on the basis of immigration status, habitual residence or an EU right to reside (Luba, Davies, and Johnson 2016). Meanwhile, in the PRS there is evidence that race discrimination continued, but in spite of that, the Home Office introduced and then strengthened legislation to force landlords to check immigration status. Most commentators agreed that this was likely to increase that discrimination, and early evaluations from the Home Office (Brickell et al. 2015) and others (Grant and Peel 2015) appear to show that it has.

### *Changing housing markets and housing inequalities*

The housing experiences of migrant and minority groups in the UK reflect the changing policies towards migration, race, citizenship and housing. Everyday border practices, both informal and formal, have framed migrant experiences of exclusion from the housing in Britain and, as Finney et al argue (2018), community policies are imbued with racialized practices. Changing government policies reflected commitments to the recognition of a universal right to housing for British citizens before market-led approaches transformed housing to an asset which has increasingly disadvantaged poor and marginalised households. After the First World War housing policy discourses recognised and included the needs of the working classes for good quality homes. The pledge to build ‘homes fit for heroes’ saw the transformation of tenure patterns from 25% ownership and 75% in the PRS in 1919 to the growth of social housing as a third tenure across the UK (Harloe 1995; Robertson and Serpa 2014). This transformation was achieved by investment in public housing schemes and slum clearance programmes perhaps best characterised by the realisation of Ebenezer Howard’s call for the building of garden cities and the adoption of similar principles by local authorities to develop social housing garden estates to rehouse those displaced by slum clearances (Howard 1898). The reconstruction of Britain after the



Second World War included building one million new homes between 1945 and 1951, 80% of which were social housing. As a result, in the early 1950s half of households lived in the PRS, 20% in social housing and the rest in ownership (Pearce 2013). The subsequent Conservative government policy was to encourage a property-owning democracy and whilst the proportion of households living in social housing increased to around 35% by 1980, ownership became the majority tenure and the size of the PRS fell to 10% of all households. The ambivalent approach to meeting the housing needs of migrant and minority groups after the Second World War excluded many from access to social housing by imposing residency requirements and led many to live in overcrowded conditions in the PRS (Rex and Moore 1967; Tomlins 1999; Davis 2001). The combination of high rent levels, poor quality and insecure accommodation in the PRS in London and Birmingham in the 1950s contributed to the racialisation of the housing problem and political demands for immigration controls (Rex and Moore 1967; Davis 2001). In Birmingham, social housing provision had a five-year residence requirement that disproportionately affected migrants from the New Commonwealth (Rex and Moore 1967). Knowledge of minority and migrant housing experiences during this period was limited by the framing of the debate in terms of race relations and the structural constraints on new migrants' housing choices (Tomlins 1999). As the British Black and Asian populations grew up struggles against discriminatory housing practices and racist violence emerged in a number of areas from the 1960s onwards (Ramamurthy 2013). The election of a Conservative government in 1979 heralded a return to policies designed to encourage the growth of the property-owning democracy. The introduction of the 'Right to Buy' social housing at a discounted price in 1980 led to the sale of two million homes by 2012 and together with the de-regulation of the PRS in 1988 created the conditions for the residualisation of social housing and the subsequent growth of the PRS (Davies 2013; Hancock and Mooney 2013; Robertson and Serpa 2014). These changes transformed the recognition of housing as a universal right to the acceptance of housing as an asset which in turn led to the exclusion of poorer households from ownership and increasing difficulty in accessing social housing (United Nations 1966; Kennett, Forrest, and Marsh 2013; Manzi 2015). The subsequent development of financial instruments that encouraged investment in buy-to-let properties contributed to the growth of the PRS. Buy-to-let landlords could cover the financial costs of their property whilst its asset value increased.

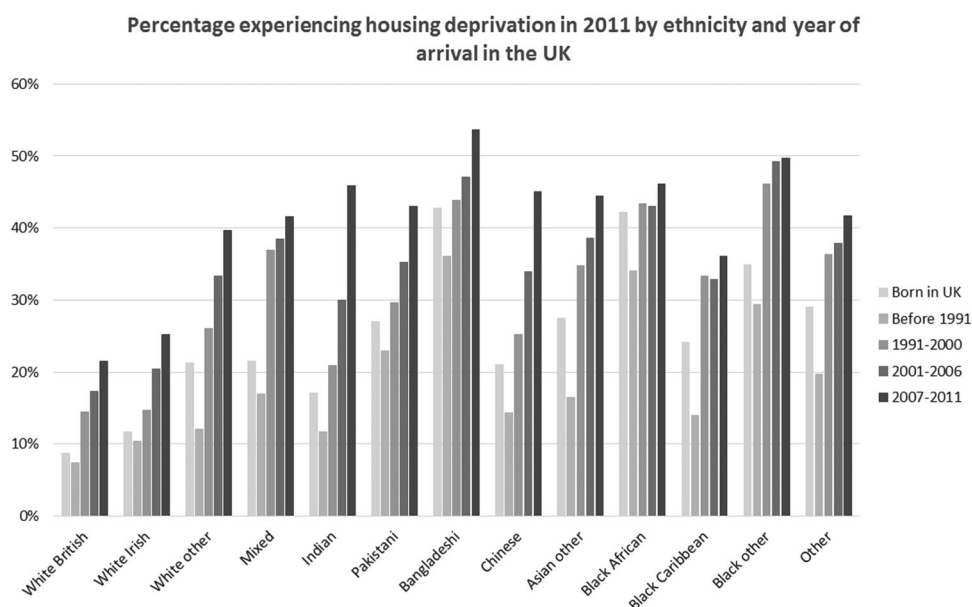
The growth of the PRS and the decline of social housing varied spatially across the UK with the major cities, especially London, having a larger PRS and social housing provision. Civil disturbances such as the 1958 Notting Hill riots, 1981 riots in Brixton, Toxteth, Manchester and elsewhere and the 2001 riots in northern towns together with political reactions to the arrival of migrants have contributed to the racialisation and stigmatisation of places of minority and migrant settlement (Rex and Moore 1967; Davis 2001; Solomos 2011). The focus on place-based outcomes of the New Labour government from 1997 onwards together with the stigmatisation of places provided the basis for housing market interventions that were underpinned by the principle of mixed tenure developments (Amin 2005; Bailey and Manzi 2008; Sautkina, Bond, and Kearns 2012). Subsequently these interventions have created local conditions in which gentrification and social exclusion from the growing PRS by market linked housing benefit caps have contributed to spatial polarisation based on wealth (Smith 1996, 2002; Johnstone and Mooney 2007; Wacquant 2008; Leather and Nevin 2013; Slater 2014; Wacquant, Slater, and Pereira 2014).

The increasingly diverse patterns of migration to the UK have been accompanied by national legislation and local practices which have explicitly restricted the housing and welfare rights of migrants forcing many into more insecure parts of the PRS (Phillimore and Goodson 2006; Phillips 2006; Audit Commission 2007; Spencer et al. 2007; Gidley and Jayaweera 2010; Netto 2011a, 2011b; Perry 2012; McGhee, Heath, and Trevena 2013). Housing experience of minorities has also been affected by stigmatisation of people and of places (as discussed by Harries et al. (2018) and Rhodes & Brown (2018) both in this issue, in relation to diverse and inner-city neighbourhoods, respectively). For example, the uneven geographies of the settlement of minorities in Britain have been increasingly problematised (Walters 2004; McKay and Winkelmann 2005; Robinson and Reeve 2006; Phillips, Simpson, and Ahmed 2008; Reeve 2008; Pemberton 2009; Simpson and Finney 2009; Phillips and Harrison 2010; Perry 2012). Migrant and minority residential choice has been constrained by affordability and fears for safety and there is a need to support both existing and newer communities and to address racial harassment (Phillips 2006; Robinson and Reeve 2006; Phillips and Harrison 2010; Netto 2011b; Markkanen and Harrison 2013). This constraint on residential choice has implications for other life domains, including employment, particularly when it prevents moves from highly deprived areas with poor access to employment opportunities, as Clark et al. (2018) find.

### Evidencing migrant/minority disadvantage in housing

Our contention is that the legal and policy changes reviewed thus far in the paper have had a material impact on the housing situations of migrants and minorities in Britain. In this section, we present evidence of housing disadvantage using the UK Census 2011 and English Housing Survey. Housing disadvantage was defined as a household experiencing one or more of: overcrowding (according to the bedroom standard), lacking central heating or sharing a kitchen or bathroom. The bedroom standard provides for a bedroom for a single adult or couple, two children under the age of 10 and two children under the age of 16 of the same sex.

The latest evidence from the 2011 Census microdata showed continuing housing disadvantage for minority and migrant groups (De Noronha 2015; Finney and Harries 2015). Figure 2 shows that recent migrants from nearly all ethnic groups are more likely to experience housing disadvantage than migrants who arrived some years ago, or those who were born in the UK. The higher proportion of those born in the UK who experience housing disadvantage may reflect children born to recent migrants. More than half of Bangladeshis who arrived in the UK between 2007 and 2011 experienced housing disadvantage compared to around 35% of those who came before 1991. Nearly 40% of the white other ethnic group and 45% of Indians and Chinese who came between 2007 and 2011 experienced housing disadvantage compared to just over 10% of those who came before 1991. A similar pattern was evident for all ethnic groups including the white British though just over 20% of white British who had come between 2007 and 2011 experienced housing disadvantage. The differential effects of the interaction of ethnicity and migrant status challenges normative assumptions of better housing outcomes for some ethnic groups. The differences in levels of housing disadvantage for more recent migrants from Mixed, Indian, Pakistani and Bangladeshi ethnic groups cannot be interpreted straightforwardly as migration history does not necessarily reflect



**Figure 2.** housing disadvantage by ethnic group and year of arrival in the UK in 2011. Source: derived from individual SARS (Office for National Statistics 2015).

ethnicity or citizenship status. This further highlights the need to consider the interaction between ethnicity, ‘race’ and citizenship in future housing research.

The 2011 census microdata was used to model the odds ratio of experiencing housing disadvantage by ethnicity of the household reference person, year of arrival in the UK and main passport held. As in [Figure 2](#), the year of arrival in the UK was grouped into five categories reflecting those born in the UK, those arriving before 1991, between 1991 and 2000, 2001–2006 and 2007–2011 after testing other combinations. The year of arrival in the UK was only available for the individual record. The passport held was based on those who held UK passports and/or Irish and others being coded as UK, Irish and/or others as Irish, other passports as other, and no passport as none. Interactions between ethnicity, year of arrival in the UK and passport held were tested but yielded no improvement in model fit or the odds ratios generated. Other relevant factors the model controlled for include occupational social class and age of the household reference person, tenure, household and accommodation type ([Table 1](#)).

After controlling for other factors ethnic minority groups, more recent migrants and non-UK or Irish citizens were more likely than other ethnic groups to experience housing disadvantage. Bangladeshi and Pakistani households were two and a half times more likely to experience housing disadvantage. Those who came to Britain between 2007 and 2011 were 25% more likely and holders of other passports 15% more likely to experience housing disadvantage than those born in the UK or UK passport holders, respectively.

### Local challenges and solutions to migrant and minority housing disadvantage

Having laid out the legal and housing sector developments as the context for minority and migration housing disadvantage, and demonstrated their culmination in stark housing

**Table 1.** Odds ratio of experiencing housing disadvantage in England in 2011 by ethnicity, year of arrival and passport held.

Ethnicity	Odds ratio
<i>White British (reference)***</i>	
White Irish***	1.20
White other***	1.62
Mixed***	1.64
Indian***	1.92
Pakistani***	2.56
Bangladeshi***	2.82
Chinese***	1.89
Asian other***	2.27
Black African***	2.64
Black Caribbean***	1.62
Black other***	2.57
Other***	2.04
Year of arrival	
<i>Born here (reference category)***</i>	
Before 1991***	0.90
1991–2000***	1.10
2001–2006***	1.14
2007–2011***	1.21
Passport held	
<i>British (reference category)***</i>	
Irish*	1.07
Other***	1.16
None***	1.40

Notes: A household is disadvantaged if they are overcrowded based on the bedroom standard, have no central heating or share a kitchen or bathroom with another household. The model controlled for occupational social class and age of the household reference person, tenure of the dwelling, household and accommodation type.

Source: Office for National Statistics 2014; 2011 Census Microdata Individual Safeguarded Sample (Regional): England and Wales. [data collection]. UK Data Service. SN: 7605, <http://doi.org/10.5255/UKDA-SN-7605-1>.

inequalities in the 2010s, we turn now to examples of local challenges and responses. This section draws primarily from expert workshop contributions and dialogue within the research team which identified the perspectives we wished to capture through the event. This aspect of the collaboration was particularly valuable as the expertise of participants was reflected in the quality of the evidence they provided. The discussion identified themes of affordable housing, homelessness, the role of the third sector and spatial variation in housing experiences.

### *Access to adequate and affordable housing*

Migrant households are more likely to use rented tenures to meet their housing needs, raising other aspects of affordability. For example, the issue of no private rented accommodation being available within housing benefit limits in some cities disproportionately affects the most impoverished, including migrants and some ethnic minority groups. The increase in market rents for regenerated areas exacerbates this problem, meaning that the Local Housing Allowance is increasingly excluding those reliant on housing benefit. Poor landlord practices have accompanied this spatial exclusion with overcrowding increasingly exacerbated by benefit cuts whilst many local areas failed to take adequate

action to address the behaviours of rogue landlords. The identification of the PRS as heroes in the battle against the 'housing crisis' by the Policy Exchange was particularly ironic in this context.

Workshop participants emphasised the differences in housing outcomes both between and within local areas. They confirmed a number of ways in which different populations experienced disadvantage in different places. These included Roma migrants to Glasgow, asylum seekers and newly recognised refugees, single people on the move, established migrant and minority populations and their new arrivals including 'invisible' women marrying into existing UK households. They also highlighted the distortion of local housing markets by students who provide relatively high returns to landlords and that migrants' access to ownership was more limited because many lacked the necessary deposit or access to credit.

We heard in the workshop how Glasgow City Council dealt with rogue landlords with Roma tenants. They served improvement notices and as a result of non-compliance, they prosecuted landlords and compulsorily purchased the properties which they planned to convert to meet the needs of larger families. These initiatives were accompanied by action to address everyday racism and negative perceptions from other residents. Clark (2014) has written about Govanhill as Scotland's 'Ellis Island', and identifies many of the area's new migrants as Roma. Good practice has been made possible not just because the City Council

'is certainly leading a path to a "model" (albeit in early development) of what a Scottish Roma Integration Strategy could look like' but also because of 'the emergence of Roma-led support organisations as well – such as Romano Lav (Roma Voice) which aims to not just raise cultural awareness and challenge anti-Roma racism and stereotypes but also improve living standards and contribute to the development of the local environment in Govanhill'. (Clark 2014, 44)

### *The homelessness duty and social housing*

Local authorities have a duty to provide strategic housing services including advice, a scheme for allocating their housing (including referrals to other providers), assessment of eligibility and, where a household is eligible to provide prevention, relief or to house that household. Housing the homeless may include the use of the PRS. Access to emergency and longer-term housing for the homeless, and to the allocations scheme, is determined by eligibility, priority needs, 'intentionality' and local connection. Thus immigration status (and the 'right to reside' for European migrants) actually excludes many migrants even if they have children (the largest 'priority need' group) or severe medical/social needs, or have lost accommodation through no fault of their own, or are living in entirely unsatisfactory housing, or have lived and worked in the area for years.

However, even for those migrants deemed eligible, local practices and discretions may then exclude. At a basic level, a failure to ensure that new communities understand their rights and options may mean that fewer apply. The discretion over residence requirements and legally allowed additional and reasonable preferences may also exclude, and indeed are sometimes presented by central government as well as local politicians as ways to ensure that 'local housing' goes to 'local people'.

The workshop participants believed that statutory services have the power to ensure they have fair allocation policies, and local variation in practice reveals this. For

example, many London boroughs have a three- to five-year residence requirement before social housing can be allocated whilst the Greater Manchester districts had no local connection requirement at the time of the workshop. Desk-based research suggested that Manchester's housing allocation policies were unusual in using equality impact assessment processes and their officer provided valuable insights during the workshop. The Manchester housing register receives around 20–25,000 new applications a year. There is a specialist team of four processing about one hundred claims a week from migrants. They carry out landlord affordability tests and require employment and one to two-week deposit for those in the working category. Reasonable preference is based on working, community contribution and young people. The implication of the bedroom tax means that they are now letting to size. Overall they house 3500 applicants a year of which around half are not white British. Whilst this leaves a significant shortfall compared to the demand for social or affordable housing, the Council's approach to their allocation process is commendable (Manchester City Council 2015).

### *Community responses*

The gap in statutory support in neighbourhoods that received large numbers of migrants has been filled by voluntary, community, academic and some statutory services. Many examples were provided by workshop participants including ARHAG Housing Association offers employment support, partly initiated in response to the welfare reform agenda; In Old Trafford a church hall provided a meeting point for migrants and signposts access to ESOL provision in the nearby primary school; Salford churches operated a rota providing 15 beds a night for both British street homeless and migrant people with meal and showers in the morning. However, the workshop participants felt that in many places statutory services lacked the will and that the voluntary, community and faith sectors lacked the capacity to address neighbourhood housing issues facing migrants.

### *Spatial variation*

Participants reinforced the need to distinguish between places to understand minority and migrant housing disadvantage and its potential remedies. They said that in some areas migrants compete for housing, in others, there are no shortages and migrants are part of the solution to depopulation. In particular, the dispersal of asylum seekers and consequent refugee populations has produced unforeseen positive outcomes and been a force for regeneration in many areas: dispersal locations are now areas of choice, refugees seen as 'good tenants' to have. However, in some areas, they identified problems with negative perceptions of neighbourhoods with large migrant populations.

Workshop participants felt that housing change was accelerating at neighbourhood level but there was limited data available to monitor and understand this. For example, not enough is understood about how selective demolition is changing some neighbourhoods significantly, or how White in-migration is displacing minority populations in some neighbourhoods (a theme visited by Butler and Hamnett 2011), or how contracts for housing migrant (refugee) populations are allocated. The paucity of local data on neighbourhood change is a barrier to service provision and effective planning.



## Conclusion

The differentiation of migrants, and often of ethnic minorities by association, in law relating to housing has increased over time as has their exclusion. The interplay of these changes and shifting housing markets has led over several decades to migrants and minorities being in disadvantaged housing positions, and there is evidence of considerable housing disadvantage for migrants and minorities from the 2011 Census.

Exclusionary benefits changes have reinforced housing disadvantage of migrants. This disadvantage is driven, however, not just by these regressive laws, but also by their misapplication (itself a form of discrimination): this can happen at local level (with illegal refusals of housing services) and national (such as the Home Office guidance on rough sleeping). Migrants find this difficult to challenge or change partly because of the removal of regulatory, advocacy and advice services and support for migrant organisations.

Within all sectors of housing, we draw the overarching conclusion that discriminatory processes towards migrants (and minorities) are systemic, and slippery in that they can be difficult to precisely evidence and challenge, particularly as they have become embedded and normalised over a long period. Furthermore, tackling housing disadvantage and discrimination is hampered by the fragmented housing sector and anti-migrant polity. However, this fragmentation and current tendencies towards greater devolution also offer opportunities, because in spite of the evident difficulties and prevailing climate, good practice has been developed. The deconstruction of the local and national state as a framework for tackling inequality also offers space for local actors, at a time when it is most needed. Devolution and local variability thus pose both policy challenges and offer opportunities to develop effective local action. Areas we have identified where this may have real potential are in access to affordable housing, services (both statutory and non-statutory) for homeless people, developing specific, local community responses to housing problems and improving data and information on housing need, provision and experience.

In writing this article we have begun to consider the slippery relationship between migrant and minority categories, how migrant identities have been racialised and how minorities' housing experiences reflect this. It is clear that 'race' and migration cannot be disassociated in understanding housing experiences or practices. Nor, we commend, should research and housing practice be disassociated in efforts to address housing disadvantage and discrimination. Future research can inform and challenge discriminatory policies and practices by considering minority and migrant housing pathways in the context of their housing and migration histories (Gidley and Caputo 2013). The 'differential inclusion' mechanisms of the housing system can then be seen in the context of migrants and minorities as agents operating within the opportunities and constraints created by the slippery discrimination they face (Mezzadra and Neilson 2011; Gidley and Caputo 2013; Spencer and Charsley 2016).

The cross-sector collaboration of this paper has highlighted two points of note: first, that cross-sector co-production of knowledge must be a long-term investment; to understand the workings and expertise of the partners in itself can be time-consuming. Second, this investment has the potential to provide knowledge that can lead to implementation and change in ways that would not be possible without such collaboration. On the

topic with which we have been occupied, there is considerable enthusiasm to do more, to scale up the collaboration and to disseminate the learning. Further research needs thus to draw not only on all participants' knowledge and experience but also their willingness, as key national and local actors, to bring about change.

## Notes

1. We have not found a reference for this, but Lukes's work in housing advice since 1983 specialising in advice to migrants, revealed local authority housing was already included in the definition of 'public funds' then, although the specific definition has changed to keep pace with housing legislation.
2. This story is full of legislators and others saying there are 'too many' of one or another type of migrant in specific areas. Even in 2016 this 'too many' is rarely actually quantified or justified (see Finney and Simpson 2009).
3. This persistence of memory is a powerful thing. Working with older Spanish domestic workers in the 1980s, after Spain had joined the EU and many years after the individuals concerned had got indefinite leave or permanent residence in the UK, most had an almost unshakeable belief that if they applied for benefits or housing they would be deported.
4. This guidance itself may well be unlawful but a challenge has yet to be mounted.
5. See Chai Patel, Charlotte Peel and Sue Lukes' forthcoming article on the right to rent in the *Journal of Immigration, Asylum and Nationality Law*.
6. These provisions came into force on 1st December 2016. They appear to be unique in current European jurisdictions in removing property rights on the basis of a completely unrelated matter, although of course there are precedents cf Diemut Majer 2013, 390–393.

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